

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF VIRGINIA  
Newport News Division**

**JASON M. H.,<sup>1</sup>**

**Plaintiff,**

**v.**

**CIVIL ACTION NO. 4:22cv12**

**KILOLO KIJAKAZI,  
Acting Commissioner of the  
Social Security Administration,**

**Defendant.**

**FINAL ORDER**

This matter comes before the court on Plaintiff's Motion for Summary Judgment and Brief in Support. ECF Nos. 12, 13. Defendant, the Commissioner of the Social Security Administration ("the Commissioner"), filed a Cross-Motion for Summary Judgment and Memorandum in Support. ECF Nos. 14, 15.

On April 27, 2022, this matter was referred to United States Magistrate Judge Robert J. Krask, pursuant to the provisions of 28 U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b), to conduct necessary hearings, including evidentiary hearings, and to submit to the undersigned district

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<sup>1</sup> In accordance with a committee recommendation of the Judicial Conference, plaintiff's last name has been redacted for privacy reasons. Comm. on Ct. Admin. & Case Mgmt. Jud. Conf. U.S., Privacy Concern Regarding Social Security and Immigration Opinions 3 (2018).

judge proposed findings of fact, if applicable, and recommendations for the disposition of the matter. ECF No. 7.


The United States Magistrate Judge's Report and Recommendation ("R&R") was filed on December 22, 2022. ECF No. 16. The R&R recommends that Plaintiff's Motion for Summary Judgment be denied, the Commissioner's Motion for Summary Judgment be granted, the final decision of the Commissioner be affirmed, and the matter be dismissed with prejudice.

By copy of the R&R, the parties were advised of their right to file written objections to the findings and recommendations made by the Magistrate Judge within fourteen (14) days of the date of service of the R&R to the objecting party. See id. at 15. No objections were filed.

The court, having reviewed the record in its entirety, does hereby **ADOPT AND APPROVE IN FULL** the findings and recommendations set forth in the Magistrate Judge's thorough and well-reasoned R&R, filed on December 22, 2022. ECF No. 16. Accordingly, Plaintiff's Motion for Summary Judgment is **DENIED**, and the Commissioner's Motion for Summary Judgment is **GRANTED**. The decision of the Commissioner is **AFFIRMED**, and this matter is **DISMISSED WITH PREJUDICE**.

The Clerk shall enter judgment in favor of the Commissioner and close the case on this court's docket. The Clerk is **DIRECTED** to send a copy of this Final Order to counsel for all parties.

IT IS SO ORDERED.

/s/   
Rebecca Beach Smith  
Senior United States District Judge

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REBECCA BEACH SMITH  
SENIOR UNITED STATES DISTRICT JUDGE

January 12, 2023